



Order Filed on June 13, 2024
by Clerk,
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
In Re: Michael M. Tallarida and Nicole J. Tallarida, Debtors.

Case No.: 19-10082-SLM

Chapter: 13

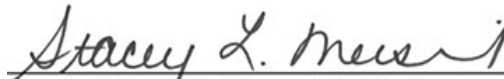
Hearing Date: June 12, 2024

Judge: Stacey L. Meisel

ORDER DENYING MOTION TO CANCEL AND DISCHARGE MORTGAGE

The relief set forth on the following pages, numbered two (2) through two (2) is
ORDERED.

DATED: June 13, 2024


Honorable Stacey L. Meisel
United States Bankruptcy Judge

Debtors: Michael M. Tallarida and Nicole J. Tallarida
Case No.: 19-10082-SLM
Caption of Order: Order Denying Motion To Cancel And Discharge Mortgage
Page: 2 of 2

THIS MATTER having been brought before the Court on a *Motion To Cancel And Discharge Mortgage* (the “**Motion**”) by Michael M. Tallarida and Nicole J. Tallarida; this Court finds:

WHEREAS the Motion is deficient for the following reason(s):

- ☐ **Failure to use required Local Forms.** *See* D.N.J. LBR 9009-1.
- ☐ **Failure to follow the requirements of Local Rule 9013-1, specifically:**
 - ☐ **Failure to submit a notice of motion stating the date, time, and place of the hearing.** *See* D.N.J. LBR 9013-1(a)(1).
 - ☐ **Failure to submit a certification containing the facts supporting the relief requested in compliance with D.N.J. LBR 7007-1.** *See* D.N.J. LBR 9013-1(a)(2).
 - ☐ **Failure to submit a memorandum of law stating the legal basis for the relief requested, or a statement why a memorandum of law is unnecessary.** *See* D.N.J. LBR 9013-1(a)(3).
 - ☐ **Failure to submit a proposed form of order.** *See* D.N.J. LBR 9013-4.
 - ☐ **Failure to file a certification of service.** *See* D.N.J. LBR 9013-1(a)(5) and Local Form.
 - ☐ **Failure to effectuate proper service.** *See* D.N.J. LBR 5005-1, Fed. R. Bankr. P. 2002, 9014, Fed. R. Bankr. P. 7004, and Fed. R. Bankr. P. 9010 as well as the Register of Governmental Units available on the Court’s website.
- ☒ **Other:** Failure to serve parties who filed notice of appearances at ECF Nos. 8, 49, and 165.

It is hereby

ORDERED that the Motion is denied, without prejudice.

In re:
Michael M Tallarida
Nicole J Tallarida
Debtors

Case No. 19-10082-SLM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Jun 13, 2024

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 15, 2024:

Recip ID	Recipient Name and Address
db/jdb	+ Michael M Tallarida, Nicole J Tallarida, 101 Brookline Avenue, Nutley, NJ 07110-2965

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 15, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 13, 2024 at the address(es) listed below:

Name	Email Address
Charles G. Wohlrab	on behalf of Creditor U.S. Bank Trust National Association as Trustee of Igloo Series IV Trust bkecf@friedmanvartolo.com cwohlab@ecf.courtdrive.com
Charles G. Wohlrab	on behalf of Creditor Rushmore Loan Management Services LLC as servicer for U.S. Bank Trust National Association as trustee of Igloo Series IV Trust bkecf@friedmanvartolo.com, cwohlab@ecf.courtdrive.com
Charles G. Wohlrab	on behalf of Creditor SN Servicing Corporation as Servicer for U.S Bank Trust National Association as Trustee of Tiki Series IV Trust bkecf@friedmanvartolo.com cwohlab@ecf.courtdrive.com
Darin D Pinto	on behalf of Debtor Michael M Tallarida dpintolaw@comcast.net
Darin D Pinto	on behalf of Joint Debtor Nicole J Tallarida dpintolaw@comcast.net

District/off: 0312-2

User: admin

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Date Rcvd: Jun 13, 2024

Form ID: pdf903

Total Noticed: 1

David Coats

on behalf of Creditor U.S. Bank Trust National Association asTrustee of Igloo Series IV Trust dcoats@ghidottiberger.com

Emmanuel J. Argentieri

on behalf of Creditor US Bank NA as Legal Title Trustee for Truman 2016 SC6 Title Trust bk@rgalegal.com

Emmanuel J. Argentieri

on behalf of Creditor U.S. Bank Trust National Association asTrustee of Igloo Series IV Trust bk@rgalegal.com

Gavin Stewart

on behalf of Creditor Toyota Motor Credit Corporation bk@stewartlegalgroup.com

Jason Brett Schwartz

on behalf of Creditor Rushmore Loan Management Services LLC as servicer for U.S. Bank Trust National Association as trustee of Igloo Series IV Trust bkecf@friedmanvartolo.com, bankruptcy@friedmanvartolo.com

Jonathan C. Schwalb

on behalf of Creditor U.S. Bank Trust National Association asTrustee of Igloo Series IV Trust bankruptcy@friedmanvartolo.com jschwalb@ecf.courtdrive.com

Jonathan C. Schwalb

on behalf of Creditor Rushmore Loan Management Services LLC as servicer for U.S. Bank Trust National Association as trustee of Igloo Series IV Trust bankruptcy@friedmanvartolo.com, jschwalb@ecf.courtdrive.com

Jonathan C. Schwalb

on behalf of Creditor Rushmore Loan Management Services LLC as servicer for U.S. Bank National Association, not in its individual capacity but solely as trustee for RMTP Trust, Series 2021 BKM-TT bankruptcy@friedmanvartolo.com, jschwalb@ecf.courtdrive.com

Kevin Gordon McDonald

on behalf of Creditor Toyota Motor Credit Corporation kmcdonald@kmlawgroup.com bkgroup@kmlawgroup.com

Marie-Ann Greenberg

magecf@magtrustee.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 16